IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODPUR

ORDER

S.B. Criminal Misc. Petition No.590/2006

M/s.Rastriya Chawal Vikreta

Vs.

The Krishi Upaj Mandi Samiti Udaipur

Date of Order : 26th September , 2007

HON'BLE MR. H.R. PANWAR, J.

Mr. G.L. Lohar for Mr.Himanshu Maheshwari for petitioner.
Mr. Sunil Ranwa for Mr. Ravi Bhansali for respondent.s

By the instant Criminal Misc. Petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 30th November, 2005 passed by learned Additional Sessions Judge No.1, Udaipur (for short 'the revisional court') whereby the revision petition filed by the petitioner against the order dated 19th January, 2004 passed by the learned Judicial Magistrate No.2, (South) Udaipur (for short 'the trial court') was dismissed.

I have heard learned counsel for the parties and carefully gone through the orders passed by the courts below.

The controversy involved in the instant case has been concluded by a decision of this Court in Raj Kumar & Others Vs. The State of Rajasthan, 1985 (1) R.Cr.C, 89, relying on this decision this Court again decided the similar point in S.B. Criminal Misc. Petition No.292/2001 (Dilavar Hussain Vs. State of Rajasthan & Anr.) vide order dated 03.12.2001, holding that the offence in question is continuing offence.

In view of above, when the courts below have concurrently found the case against the accused petitioner, the orders impugned calls for no interference by this Court under inherent powers under Section 482 Cr.P.C.

The misc. petition is, therefore, dismissed.

(H.R. PANWAR), J.

vij